

ASSEMBLY BILL

No. 356

Introduced by Assembly Member Hill

February 10, 2011

An act to add Section 53087.7 to, and to add Chapter 13 (commencing with Section 4590) to Division 5 of Title 1 of, the Government Code, relating to public works projects.

LEGISLATIVE COUNSEL'S DIGEST

AB 356, as introduced, Hill. Public works projects: local hiring policies.

Existing law authorizes state agencies to enter into public works projects, as defined, and imposes various requirements with respect to the contracting and bidding process.

This bill would exempt any public works project that is funded, in whole or in part, with state funds from a policy imposed by a local agency that mandates that any portion or percentage of project work hours be performed by local residents.

This bill would also prohibit any local agency, as defined, from mandating that any portion or percentage of work on a public works project be performed by local residents if any portion of that public works project will take place outside the geographical boundaries of the local agency.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Chapter 13 (commencing with Section 4590) is added to Division 5 of Title 1 of the Government Code, to read:

CHAPTER 13. LOCAL HIRING POLICY EXEMPTION FOR
STATE-FUNDED PUBLIC WORKS PROJECTS

4590. As used in this chapter, the following terms have the following meanings, unless the context otherwise requires:

(a) "Local agency" means a city, county, or any other local public agency.

(b) "Local resident" means an individual who is domiciled, as defined in Section 349 of the Elections Code, within the jurisdiction of the local agency.

(c) "Public works project" means the acquisition and improvement of sites, construction, modification, and alteration of public buildings, airports, water supply systems, and other publicly owned and operated facilities.

4591. A public works project that is funded, in whole or in part, entirely or partially funded with state funds shall be exempt from a policy imposed by a local agency that mandates that any portion or percentage of project work hours be performed by local residents.

SEC. 2. Section 53087.7 is added to the Government Code, to read:

53087.7. (a) As used in this section, the following terms have the following meanings, unless the context otherwise requires:

(1) "Local agency" means a city, county, city and county, or any other local public agency.

(2) "Local resident" means an individual who is domiciled, as defined in Section 349 of the Elections Code, within the jurisdiction of the local agency.

(3) "Public works project" means the acquisition and improvement of sites, construction, modification, and alteration of public buildings, airports, water supply systems, and other publicly owned and operated facilities.

(b) A local agency shall not mandate that any portion or percentage of work on a public works project be performed by

- 1 local residents if any portion of that public works project will take
- 2 place outside the geographical boundaries of the local agency.

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